

<b>POLICY AND PROCEDURE MANUAL BUREAU OF QUALITY IMPROVEMENT SERVICES</b>		
<b>SUBJECT: BQIS COMPLAINTS</b>		<b>CHAPTER:</b>
<b>SUBJECT NUMBER:</b>		<b>CHAPTER NUMBER:</b>
<b>APPLICATION:</b> <u>  X  </u> BQIS Field Service Offices <u>    </u> Ft. Wayne State Developmental Center <u>  X  </u> BQIS Central Office <u>    </u> Muscatatuck State Developmental Center		
<b>INITIAL DATE OF POLICY: 2/26/03</b>		<b>REVISION/REVIEW DATE: November 10, 2003</b>
<b>AUTHORED BY: Ellen McClimans</b>		<b>APPROVED BY: Ellen McClimans</b> <b>PAGE: 1</b>

I. **POLICY/PURPOSE STATEMENT**

It is the policy of the Bureau of Quality Improvement Services that all complaints within the Bureau are addressed in a timely manner and result in assuring the health and safety of individuals receiving services from the Bureaus of Developmental Disabilities Services Aging and In-Home Services.

II. **STANDARDS**

460 IAC 6 and 7

III. **DEFINITION**

- a) "Bureau of Developmental Disabilities Services" - The entity established in IC 12-11-1.1-1 to plan, coordinate, and administer the provision of individualized, integrated, community based services for individuals with a developmental disability and their families, within the limits of resources.
- b) "Bureau of Aging and In-Home Services" – The entity established in IC 12-10-1-2 **IC 12-10-1-2** to assist the constantly increasing number of aged in: (1) maintaining self-sufficiency and personal well-being with the dignity to which the years of labor entitle the person; and (2) realizing the aged person's maximum potential as a creative and productive individual.

IV. **REFERENCE**

RULES

V. **EXHIBITS**

Exhibit 1: 460 IAC 6 AND 7

VI. **PROCEDURE**

**RESPONSIBLE  
STAFF/PERSON**

**ACTIONS**

**A. BQIS STAFF**

**Receiving a complaint**

- 1. The individual taking complaint first determines the following:
  - a) If situation has risen to the level that a formal complaint is being

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- filed; and/or
- b) If the case manager, provider and/or local BDDS District Office have been given the opportunity to resolve the complaint.
  2. If the answer is no to either (a) or (b), then the person should be referred to the appropriate person to work with on the issue (case manager, provider, BDDS District Office etc.)
  3. If the answer is yes to either (a) or (b) then this is considered a formal complaint and is referred to either the BDDS or BAIHS Quality Liaison, as applicable. Within one business day, the Quality Liaison:
    - a) enters all details into ACTS;
    - b) determines appropriate person responsible for follow up;
    - c) as appropriate, refers complaint to another individual for follow up (see guidelines for referral below);
    - d) documents complaint number for file;
    - e) sends a letter to complainant to acknowledge receipt of complaint if there has been no direct communication with the complainant; and
    - f) establishes complaint file which includes assigning complaint # (customer # in ACTS plus issue #)
- NOTE: Even if person taking complaint can resolve it quickly, all steps above must still be taken.
4. Complaints involving individuals receiving services through BDDS are to be referred to the BDDS Quality Liaison.
  5. Complaints involving individuals receiving services through BAIHS are to be referred to the BAIHS Quality Liaison.
  6. Complaints involving denied claims due to outdated POC's are to be referred to the Bureau of Developmental Disabilities Services. Note date referred and how notified.
  7. Any complaint regarding services and supports from an ICF/MR setting should be referred to the Bureau of Developmental Disabilities Services within one day.
    - a) Under the statement of complaint in ACTS enter that a referral has been made to the Bureau of Developmental Disabilities Services and note the date referred and how referred (email, telephone etc).
    - b) This complaint will remain open until resolved by BDDS.
  8. Complaints from families/individuals and/or complaints

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concerning right/choice issues may be referred to the DD Waiver Ombudsman if the individual is receiving funding from a DD waiver within one day.

- a) Under the statement of complaint in ACTS enter that a referral has been made to the DD Waiver Ombudsman and note the date referred and how referred (email, telephone etc).
  - b) This complaint will remain open until resolved by the DD Waiver Ombudsman.
9. Complaints involving significant health and safety issues for individuals in supported living settings are to be immediately referred to BQIS Director or Designee for review, determination of severity level, and referral to appropriate party.
- a) Under the statement of complaint in ACTS enter that the complaint has been referred to the BQIS Director – note date, time and how notified.
  - b) A written copy of the complaint is provided to the BDDS Director or designee
  - c) The BQIS director or designee will determine the severity level of the complaint, the individual responsible for investigating the complaint and the time frame.

**B. BQIS Director of Designee**

**Complaint Severity Level**

The BQIS Director or designee will determine the severity level of the complaint within 24 hours for those complaints that involve significant health and safety issues for individuals receiving services. The levels are:

1. Critical – personal safety at risk – requires a written investigative report within 10 days.
2. Urgent – individual is jeopardy of losing services – requires a written investigative report within 15 days.
3. Bureau to Bureau issue(s) within 20 days.
4. Non-critical – no major impact to safety/services within 30 days.

NOTE: complaint investigation requiring on-site visits and complaints involving multiple issues require an investigative report.

**C. BQIS Staff**

**Investigation and follow-up for critical severity level**

The complaint is referred to the BQIS investigator or backup quality coordinator by BQIS Director or Designee. The investigator:

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**D. BQIS Staff**

1. Completes on site visit within 48 hours unless otherwise directed by BQIS Director
2. Provides preliminary summary of findings (email) within 48 hours to BQIS Director, BDDS Director and others as identified by BQIS Director
3. Provides final report within 10 days of receipt of complaint, unless other time frame approved by BQIS Director

**Investigation and follow-up for urgent through non-critical severity levels.**

1. Complaint is referred to appropriate Complaint Coordinator (BDDS Quality Liaison or BAIHS Quality Liaison), who:
  - a) Within 2 business days reviews appropriate documentation for previous 12 months:
    - 90 day CM checklist;
    - ISP;
    - POC;
    - CCB;
    - Chrono notes in DART;
    - Chrono notes in Insite;
    - Incident Reports; and
    - Prior complaints in ACTS.
  - b) Within 5 days for urgent complaints, and 10 days for other classifications, interviews the following when appropriate, depending on the nature of the complaint;
    - BDDS Service Coordinator;
    - Case Manager;
    - Individual/legal representative; and
    - All relevant providers of services and supports.

Note: interviews should begin to be completed immediately after reviewing documentation to assure everyone can be contacted within this time frame. If the nature of the complaint indicates that it would not be helpful or appropriate to contact one of the parties listed above, documentation of the reasons why the parties were not contacted should be included in the summary of the complaint.

- c) Completes a preliminary written summary of the findings of the document review and summaries of completed interviews within 5 days of receipt of complaint. This summary should focus on

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the concerns registered in the complaint. Any other concerns should be noted and a determination made as to how they will be addressed. This report is submitted to the BQIS Director or designee.

- d) Within five business days or receipt of the complaint or as directed by the BQIS Director or designee determines the need for an onsite investigation and works with Quality Field Supervisors to schedule the investigation.
- e) Completes the final report, including findings with appropriate supporting documentation.

**E. BQIS Staff**

**Completion of BQIS Complaint Investigation Reports**

- 1. The completed Complaint Investigation Report is to be sent to BQIS Director by timeframes established for the appropriate severity level and include:
  - a) Individual's name;
  - b) Complaint number;
  - c) Date of complaint;
  - d) Date of report;
  - e) Description of Complaint;
  - f) Statement of Issue(s);
  - g) Summary of data/information obtained (documentation review, interviews, and on-site complaint investigation);
  - h) Ancillary concerns;
  - i) Statement of findings;
  - j) Recommendations; and
  - k) Attachments.

**F. BQIS Director or designee**

**BQIS Director Review**

It is the responsibility of the BQIS Director, or designee, to review the complaint investigation reports, in conjunction with BDDS, and take necessary action regarding any specific sanctions in accordance with 460 IAC 6.

**G. BQIS staff**

**Complaint Resolution**

The individual responsible for the complaint investigation must complete the following within 3 business days after resolution:

- 1. Update ACTS with the following information:
  - a) Date of investigation report;
  - b) Name of investigator;
  - c) Findings;

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**RESPONSIBLE  
STAFF/PERSON**

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- d) Resolution; and
- e) Date of resolution.
- 2. Send a final complaint letter to the complainant with copies to individual/legal representative, BDDS Service Coordinator, and Case Manager regarding status.
- 3. Assure complaint file complete.
- 4. Transfer complaint file to BQIS Secretary to be filed with completed complaints.

H. BQIS staff

**EDS Interagency Referrals**

- 1. All EDS Interagency Referrals are sent to the BQIS Director or designee for review and are forwarded within 2 business days to the appropriate Quality Liaison or other DDARS staff based on the type of services and type of concern.
- 2. If the referral is forwarded to the BQIS Quality Liaison, he/she is responsible for:
  - a) Entering the complaint into ACTS with the reporter as "EDS" within 2 business days;
  - b) Establishing the complaint file including documentation that the provider has been informed of concern;
  - c) Reviewing the complaint and determining if: 1) resolution can be achieved through contacting provider/case manager etc. and requesting verification of resolution of the concern (copying the individual/legal rep and BDDS Service Coordinator or designated staff within BAIHS); or 2) an on-site complaint investigation is needed; and
  - d) Coordinating with the Quality Field Supervisors within 3 business days of receipt of complaint if an on-site visit is needed.
- 3. The Quality Liaison will assure that a letter/e-mail is sent verifying resolution to the provider, case manager, individual/legal rep., BDDS Service Coordinator and EDS within three business days of resolution.
- 4. The Quality Liaison will assure that the EDS referral, with out come information, is e-mailed back to EDS.